



## City of North Branch Agenda

<b>Title:</b>	City Council Work Session
<b>Location:</b>	City Council Chambers
<b>Date:</b>	January 15, 2015

Start	End	Time	Topic	Presenter
6:30 PM	6:31 PM	0:01	Pledge of Allegiance	
6:31 PM	6:51 PM	0:20	Planning Staffing	Konrad
6:51 PM	7:06 PM	0:15	Rush Line Survey	Blomquist
7:06 PM	7:11 PM	0:05	Driver Awareness Program (DAP) Update	Meyer
7:11 PM	7:26 PM	0:15	Administrative Fines	Meyer
7:26 PM	7:41 PM	0:15	Awards Program Committee	Meyer
<b>Total</b>		<b>1:11</b>		



# *City of North Branch*

## *Memo*

**Prepared By:** Bridgitte Konrad *BK*

**Date:** December 26, 2014

**Subject:** Planning Staffing

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Since 2013 the City had a shared Planner with Chisago County. Ken Roberts was hired to fill that position. He spends 20 hours per week at the City and 20 hours per week at Chisago County. He is in North Branch Monday, Tuesday morning and Thursday each week. During the 2015 budget process we budgeted to continue the shared position. Chisago County also budgeted for their half of the position. In November the Planning Commission requested the Council look at alternatives for planning staffing. During that process it was determined that our contract with Chisago County had a hard end date of December 31, 2014. At the December Council meeting the contract with Chisago County was amended to continue the contract for three months and review options at the first work session in January. We have budgeted \$47,830 in the 2015 budget for our planning contract.

Below are three options for discussion:

- **Contract With Chisago County** – This option would allow us to continue with the 20 hours of planning staffing for 2015. During the first half of the year I would suggest discussing how to handle planning staffing for 2016 so when we begin the budgeting process in June/July we can budget accordingly if this option is selected. We would need to request the County amend the contract. This option has been fully budgeted in 2015.
- **Hire Planner/Community Development Director** – This option was contemplated in the staffing plan presented to the Council last year. In the plan a Community Development Director was proposed in 2017. The position was proposed as overseeing planning and economic development. It was proposed in 2017 to allow activity to increase. Also, the comprehensive plan will need to be reviewed and updated in the near future which is a large project that takes an extensive amount of time. In recent months we are starting increased activity in the planning department. The salary range for this position is \$63,759-\$84,138. Including benefit and payroll tax costs brings the range to \$85,437-\$112,744. This option would not be fully budgeted in 2015.
- **Consulting Service** – This option would require that we go out for a request for proposals from consulting services. The Council would need to determine what tasks would be handled by the consultant to be included in the RFP (i.e., would they be required to have office hours, would they staff planning

commission meetings, would they prepare agendas). My concern with this option is that this will put additional pressure on the existing staff. Residents come to City Hall to discuss their projects and issues and they don't care that the Planner isn't in the office so other staff are stepping up to try to answer their questions. Consulting firm rates are in the \$65 (junior planner) - \$150 (senior planner) range. There may be individual consultants that have lower rates. This option would not fully budgeted in 2015. At 20 hours per week, no meeting time, the annual cost would be:

\$65/ Hour	\$67,600
\$100/Hour	\$104,000
\$150/Hour	\$156,000



# ***City of North Branch***

## ***Memo***

**Prepared By:** Bridgitte Konrad *BK*

**Date:** January 9, 2015

**Subject:** Rush Line Survey

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Councilmember Blomquist would like to do a survey to find out how Councilmembers feel about transit and how to incorporate it into our master planning.



# **City of North Branch Staff Report**

**Prepared By:** Chief Dan Meyer  
**Date:** January 6, 2015  
**Subject:** Update on the Driver Awareness Program (DAP)

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## **Background Information:**

In August of 2013, the North Branch Police Department began participating in Chisago County's Driver Awareness Program (DAP). The DAP program allowed drivers cited with certain non-serious speed, moving, and equipment violations to voluntarily attend a two-hour traffic safety course, taught by Chisago County Sheriff's Office staff, in lieu of prosecution and conviction for the traffic offense. Upon the successful completion of the course, the driver's traffic citation was voided. Driver's paid a \$75 registration fee for taking the course. The city retained \$50 and \$25 was given to Chisago County.

On January 6, 2014, the Chisago County Sheriff's Office suspended the DAP program after a Wabasha County district court ruled that Wabasha County's Safe Driving Class was not authorized by law. On January 9, the Sheriff's Office decided to continue with their program. On February 24, 2014, the city council agreed to suspend our participation in the program and we have not participated since that time.

Both the MN State Auditor and the MN Attorney General have called into question the legality of all of the safe driving programs operating at the county or city level. The legislature has not addressed the issue at this time and the lawsuit involving the DAP program is still pending.

## **Requested Action & Staff Recommendation:**

I just wanted to give the city council an update since it has been almost a year since we suspended the program. I do not request any formal action at this time. I would recommend that we continue our suspension of the program until the legislature addresses the issue or at least until the lawsuits involving such programs have been settled.



# City of North Branch Staff Report

**Prepared By:** Chief Dan Meyer  
**Date:** January 6, 2015  
**Subject:** Administrative Traffic Citation Program

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## **Background Information:**

In 2013, I brought forth information regarding an administrative traffic citation program for the city council to consider. At that time, we also began participation in the Chisago County Driver Awareness Program and the city council decided not to proceed with an administrative citation program but requested that the program be revisited at a later date.

Traditional court proceedings for traffic violations can be taxing on local and county resources as it relates to court time and prosecution costs. An administrative traffic citation program is intended to provide the public and the city with an informal, cost-effective, and expeditious alternative by providing another option for officers when enforcing traffic violations and promoting traffic safety. An administrative citation carries only a financial penalty and does not get recorded on an individual's driving record.

Individuals who receive an administrative citation can either choose to pay the fine, can request that they receive a standard traffic citation instead, or contest the citation by requesting a hearing with the neutral third-party hearing officer who has been appointed by the city council (can not be a city employee or a member of the city council). If an individual refuses to pay the fine and does not appeal the violation within the specified period of time outlined in the ordinance, the city can choose to dismiss the administrative citation and issue a state criminal traffic citation instead or use traditional debt collecting methods. State law does not give cities the authority to assess the fine against real property for payment as taxes.

Per state statute, the fine amount is \$60 per violation and the fine is paid to the city. Of that, \$40 remains with the city and \$20 is paid to the state commissioner of finance for deposit into the state's general fund. One-half of the city's share (\$20) must be used for law-enforcement purposes. Many police departments use this money to supplement their existing operating and equipment budgets.

## **Financial/Budget Impacts (If Any):**

State law requires cities to use a specific administrative citation form and to provide an informational sheet to each individual receiving an administrative citation describing how they can contest the citation. There would be a minimal up-front cost of purchasing the *uniform administrative traffic citation forms* and printing the required informational brochures. Staff would also have to track the number of administrative citations issued and process the money collected. There may also be costs associated with hiring a neutral third party to hear appeals if the city council wishes to make this a paid position rather than a volunteer position.

### **➤ Funding Sources**

The up-front costs for forms and brochures can easily be absorbed through the police department's operational supply budget. Our current administrative and support staff could also track the number of administrative citations issued and process the money collected during their working hours. The program potentially could be sustained by funding itself; money collected in fines could be used to off-set ongoing costs.

**Requested Action & Staff Recommendation:** To discuss and provide direction to staff regarding the implementation of an administrative citation program.

## **Attachments:**

1. List of Citable Offenses (from LMC Administrative Traffic Citations Toolkit)

## Appendix A: List of citable offenses

This is not a list of offenses that *must* be cited, only a list of violations for which an administrative traffic citation *may* be written pursuant to Minn. Stat. § 169.999.

This list was originally compiled by a policy analyst for the state patrol. The first column of the original list included code numbers used by the state patrol. Where no state patrol number is given, the material has been added.

*Note: This list is not provided as legal advice; consult your attorney concerning specific violations as not all noted sections may include his or her interpretation of a citable offense.*

State Patrol Code No.	Offense	Authority to Cite the Offense
1004	Speed less than 10 mph above posted speed limit	Minn. Stat. § 169.14
	Work zone speeds as set by state or the local road authority	2014 Minn. Laws ch. 312, art. 11, § 7, <i>amending</i> Minn. Stat. §169.14 subd 5d.
	Speed greater than is reasonable and prudent under the conditions or without due care	Minn. Stat. §169.14.
	Failing to reduce speed when approaching or passing an authorized emergency vehicle stopped with emergency light flashing	Minn. Stat. §169.14, subd. 3.
	Failing to reduce speed when approaching and crossing an intersection or railway grade crossing	Minn. Stat. §169.14, subd. 3.
	Failing to reduce speed when special hazards exist (such as pedestrians, other traffic, weather, or highway conditions)	Minn. Stat. §169.14, subd. 3.
	Driving slower than a posted minimum speed	Minn. Stat. §169.14, subd. 8.
	Possessing any radar jammer in Minnesota	Minn. Stat. §169.14, subd. 12.
	Hitching a toboggan, hand sled, bicycle, or other similar device onto any motor vehicle while being used on a street	Minn. Stat. §169.46.
	Driving vehicles that are in an unsafe condition as to endanger any person	Minn. Stat. §169.47.

1005	Stop line violation (does not include semaphore)	Minn. Stat. §169.30(b).
1112	Television and headphone use	Minn. Stat. §169.471.
1114	Use of phone for texting and/or web access	Minn. Stat. §169.475.
1102	Defective lighting	Minn. Stat. §169.49: Headlamps Minn. Stat. §169.50: Rear lamps Minn. Stat. §169.51: Clearance and marker lamps Minn. Stat. §169.53: Lights for parked vehicles Minn. Stat. §169.55: Lights on all vehicles Minn. Stat. §169.56: Auxiliary lights Minn. Stat. §169.57: Vehicle signals, including turn signals Minn. Stat. §169.58: Identification lamps Minn. Stat. §169.59: Warning lights Minn. Stat. §169.60: Distribution of light Minn. Stat. §169.61: Composite beam Minn. Stat. §169.63 Number of lamps Minn. Stat. §169.64: Prohibited lights Minn. Stat. §169.65: Specifications for lighting and other devices.
1040	Headlamps not on	Minn. Stat. §169.48 and 169.49, (see above).
1020	Illegal use lights	Minn. Stat. §169.64 and 169.65, see above).
1199	Projecting load light/flag violation	Minn. Stat. §169.52.
1102	Slow-moving vehicle sign	Minn. Stat. §169.522.
1101	Brake violations (including trailer)	Minn. Stat. §169.67.
1199	Horn	Minn. Stat. §169.68.
1107	Muffler and noise violation	Minn. Stat. §169.69 Muffler Minn. Stat. §169.693: Motor vehicle noise limits
1199	Rearview mirror	Minn. Stat. §169.70.
1105	Tire violations	Minn. Stat. §169.72: Studded tires Minn. Stat. §169.721: Unsafe tires Minn. Stat. §169.723: Tires considered unsafe Minn. Stat. §169.724: Prohibition, operating automobile with unsafe tires Minn. Stat. §169.726: Automobile sale prohibited unless tires are safe. Minn. Stat. §169.727: Unsafe tires; misdemeanor.
1108	Bumper violations	Minn. Stat. §169.73.
1199/1081/ 1110	Window violations (including tint)	Minn. Stat. §169.71.
1199	Wheel fenders/flaps (trucks)	Minn. Stat. §169.733.
1199	Flare/triangle violation	Minn. Stat. §169.75.
	Wheel fenders/flaps (cars)	Minn. Stat. §169.734.
	Window violations (safety glass requirements)	Minn. Stat. §169.74.
	Missing plates	Minn. Stat. §169.79.





# City of North Branch Staff Report

**Prepared By:** Chief Dan Meyer  
**Date:** January 6, 2015  
**Subject:** Proposed Police Department Awards Policy

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## **Background Information:**

In 2014, I brought forth a formal police department award policy for the city council to consider. At that time, the city council was supportive of the policy but there was some disagreement and discussion on who should make up the award selection committee. I was hoping to bring back the policy for discussion.

The purpose of an awards policy is to identify and recognize outstanding and exceptional performance of our members as well as citizens who significantly support and assist us with our mission. The goal of this proposed policy is to identify specific awards members and the public can receive, to define the criteria and the expectations of each award, and to establish a nomination and selection procedure.

## **Other Pertinent Information:**

### ➤ **Advantages**

Providing formal recognition to members of the department for their outstanding performance will promote excellence and raise morale. Recognizing citizens who support and assist us with our mission will strengthen our partnerships and our relationships with the community we serve.

### ➤ **Disadvantages**

None

## **Financial/Budget Impacts (If Any):**

### ➤ **Funding Sources**

There would be minimal cost for the purchase of plaques, uniform bars, and certificates that could easily be funded through the existing annual police department budget and through other funding sources such as the donation and/or forfeiture funds.

## **Requested Action & Staff Recommendation:**

To discuss and approve a formal police department awards policy. I have included a sample awards policy and a sample nomination form for you to consider.

## **Attachments:**

1. Sample Police Department Award Policy
2. Sample Nomination Form

# BRANCH NORTH POLICE DEPARTMENT

GENERAL ORDER: 2100.0  
EFFECTIVE: 02/09/15  
SUBJECT: POLICE DEPARTMENT AWARD POLICY

## 2100.1 POLICY

The North Branch Police Department expects the highest levels of professional conduct from all of its employees at all times. It is the policy of the North Branch Police Department to promote excellence in law enforcement and to recognize outstanding performance of its members as well as citizens who significantly support and assist us with our mission.

## 2100.2 PURPOSE

Officers often find themselves in situations dictated by circumstances beyond their control and which they have no way to prepare for or prevent from happening. Within this hectic environment, there are times when officers perform at a superior level that is above and beyond the call of duty.

Citizens rely upon law enforcement to deal with situations for which they are ill-equipped or untrained to handle. However, citizens may also find themselves in a unique position to provide invaluable service to law enforcement.

The purpose of this section is to outline specific standards that will be used to measure outstanding achievement or conduct and how that action will be recognized.

## 2100.3 DEFINITIONS OF AWARDS

**Medal of Valor:** This award shall be presented to an employee who demonstrated bravery, heroism, and/or self-sacrifice by performing an act of gallantry and valor above and beyond the call of duty despite an immediate threat of great bodily harm or death to themselves or others. Employees who earn the Medal of Valor will be presented with a plaque and a uniform bar that may be worn on the uniform.

**Life Saving Medal:** This award is presented to employees who displayed performance in his/her duty to save the life of a person who would have likely died if not for the actions of the officer. Employees who earn the Life Saving

Medal will be presented with a plaque and a uniform bar that may be worn on the uniform.

**Distinguished Service Award:** This award is presented to employees who demonstrated exceptional performance, thoroughness, determination, skill, or initiative to accomplish a particular assignment, duty, task, or project. Employees who earn the Distinguished Service Award will be presented with a certificate.

**Letter of Commendation:** This award, in the form of a letter, may be issued in recognition of some noteworthy accomplishment by an employee. A copy of the letter will be filed in the employee's personnel file.

**Citizen Award of Valor:** This award is presented to a private citizen who voluntarily comes to the aid of a police officer or citizen in a situation of criminal activity or other life threatening activity thereby putting their personal safety in jeopardy. Citizens who earn the Citizen Award of Valor will be presented with a plaque.

**Citizen's Life Saving Award:** This award is presented to a private citizen in appreciation for the prompt and unselfish act of rendering aid and assistance to a fellow citizen resulting in a saving of a life. Citizens who earn the Citizen's Life Saving Award will be presented with a plaque.

**Outstanding Public Service Award:** This award is presented to an individual citizen, community group, club, organization, or business who significantly assists or supports the efforts and the mission of the North Branch Police Department. Citizens or entities that receive the Outstanding Public Service Award will be presented with a certificate.

#### 2100.4

#### PROCEDURE

Any individual who has personal knowledge of an act, achievement, or service, and believes that such conduct may qualify for formal recognition may complete a North Branch Police Department Award Nomination form and submit the form to the Chief of Police.

The Chief will present the request to the award committee made up of the personnel committee, the city administrator, and the Chief of Police. The award committee will review the request and determine if the situation, act, or circumstance fulfills the criteria of the award. If approved, the Chief of Police or the Chief's designee will determine the appropriate place and time for presenting the award.

# NORTH BRANCH POLICE DEPARTMENT AWARD NOMINATION FORM

Your Name: \_\_\_\_\_

Your Address (if not a City of North Branch Employee): \_\_\_\_\_  
\_\_\_\_\_

Your Phone Number: \_\_\_\_\_

Name of person or entity you are nominating: \_\_\_\_\_

Requested Award:

\_\_\_\_\_ **Medal of Valor:** This award shall be presented to an employee who demonstrated bravery, heroism, and/or self-sacrifice by performing an act of gallantry and valor above and beyond the call of duty despite an immediate threat of great bodily harm or death to themselves or others.

\_\_\_\_\_ **Life Saving Medal:** This award is presented to an employee who displayed performance in his/her duty to save the life of a person who would have likely died if not for the actions of the employee.

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\_\_\_\_\_ **Outstanding Public Service Award:** This award is presented to an individual citizen, community group, club, organization, or business who significantly assists or supports the efforts of the North Police Department to achieve its mission.

